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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,169	06/26/2001	Simon Tsang	219.39511X00	1367

7590

08/22/2005

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EXAMINER
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JAROENCHONWANIT, BUNJOB

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/891,169

Applicant(s)

TSANG ET AL.

Examiner

Bunjoo Jaroenchonwanit

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/24/05 has been entered.
2. Examiners notes, claims 1-16 are pending and were amended. However, the amendment, including a feature of consolidation information from DMI service provider, does not change claims' breadth sufficiently to overcome Smart's teaching. Further, the added feature is also the main reason of argument, which is addressed in the body of rejection, as stated below.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over McCollum (US. 6,427,168) and Smart Technology Enablers "SmartCIM™ to DMI Mapper" (herein after "Smart").
5. Regarding claims 1, 9 and 13, McCollum discloses a system for communications between computers in a CIM and DMI network, comprising: a proxy CIMOM in communications with a plurality of CIM client applications (McCollum, Fig.3, 68, 64 communicate with 62).

Although, McCollum does not explicitly teach the use of CIM-DMI, i.e., install the smart CIM with in the proxy-CIMOM, for interfacing between CIMOM and DMI application, but McCollum suggested that using vendor or protocol specific protocol such as DMI can be used for such communication (Col.5, line 59, Col.6, line 2). Further, in the same field of endeavor,

Art Unit: 2143

Smart (in page 1) suggested that using SmartCIM and SmartDMI in an existing system, could enhance system flexibility, since the one can maintain investment of old technologies while implementing a latest management technologies, in which in turn would enhance system. In addition to its suggestion, Smart teaches a DMI service provider in communications with a plurality of DMI component instrumentation (Smart Fig. 2, DMI instrument, Smart DMI secure Service provider); CIM to DMI provider connected to the proxy CIMOM and the DMI service provider to register the plurality of CIM client applications and the plurality of DMI component instrumentation, receive events from the DMI service provider, receive interrupts from the proxy CIMOM, receive information from both the proxy CIMOM and the DMI service provider and translate all said interrupts (Smart, page 2, Perform unit translation), said events, and said information into a format suitable for an intended recipient, wherein said intended recipient may be either the proxy of CIM client applications or the plurality of DMI component instrumentation.” Smart further discloses gathering information and translation the information between CIM to DMI format (page 1) and performs unit translation between DMI to CIM (page 2). Such teaching implicitly includes the feature of consolidation information receiving from either end, including receiving from DMI.

Thus, in light of McCollum’s suggestion and the benefits enlightened by Smart, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to be motivated and to combine the notion of CIM-DMI mapping with Proxy CIMOM, for interfacing, translating, interrupting, communicating and to do all other inherent or conventional functions as claimed, in order to enhance system efficiency.

Art Unit: 2143

6. Regarding claim 2, McCollum-Smart discloses a DMI events and CIM requests processing module to register the plurality of CIM client applications and the plurality of DMI component instrumentation, receive events from the DMI service provider, receive interrupts from the proxy CIMOM, receive information from both the proxy CIMOM and the DMI service provider (Smart, Figure, illustrated CIM Instrumentation communicated with proxy CIMOM, while DMI Instrumentation communicate with DMI provider, for communicating request and response. Further, it has been recognized that computer component either software or hardware, required interrupting signal for communication, thereto, thereby interrupts from CIMOM are inherent).

7. Regarding claims 3 and 10-12, 14-16, McCollum-Smart discloses a CIM to DMI translation module connected to the DMI events and CIM requesting module to translate DMI requests and messages to CIM objects and to translate CIM objects to DMI requests and messages (Let alone inherency of translation module, Smart teaches unit translation, page 2).

8. Regarding claim 4, McCollum-Smart discloses a CIMOM interface provider connected to the proxy CIMOM and the DMI events and CIM requests processing module to receive CIM client application requests and transmit the CIM client application requests to the DMI events and CIM request processing module and receive CIM objects from the DMI events and CIM requests processing module and transmit the CIM objects to the proxy CIMOM (Smart Fig 2, CMI instrumentation, DMI instrumentation).

9. Regarding claims 5, McCollum-Smart discloses a DMI event callback interface module connected to the DMI service provider and the DMI events and CIM requests processing module

to receive DMI events and transmit the DMI events to the DMI events and CIM requests processing module (Smart Fig 2, CMI instrumentation, DMI instrumentation).

10. Regarding claims 6, McCollum-Smart inherently discloses a CIMOM event interface connected to the proxy CIMOM and the DMI events and CIM requests processing module to transmit CIM interrupts to the proxy CIMOM translated from the DMI events received by the DMI event callback interface and transmitted by the DMI events and CIM requests processing module using the CIM to DMI translation module (Smart Fig 2, CMI instrumentation, DMI instrumentation).

11. Regarding claims 7, McCollum-Smart inherently discloses a CIM provider callback interface connected to the proxy CIMOM and the DMI events and CIM requests processing module to receive CIM requests from the plurality of CIM client applications and transmit them to the DMI events and CIM requests processing module and to transmit to the proxy CIM all the translated DMI events received from the DMI events and CIM requests processing module (Smart, Fig 2, CMI instrumentation, DMI instrumentation).

12. Regarding claims 8, McCollum-Smart inherently discloses the CIM to DMI provider further comprises: a DMI management client interface connected to the DMI service provider and the DMI events and CIM requests processing module to receive DMI requests from the DMI service provider and transmit them to the DMI events and CIM request processing module and receive from the DMI events and CIM requests processing module CIM requests translated into DMI format and transmitting the DMI formatted CIM requests to the DMI service provider (Smart Fig 2, CMI instrumentation, DMI instrumentation).

Art Unit: 2143

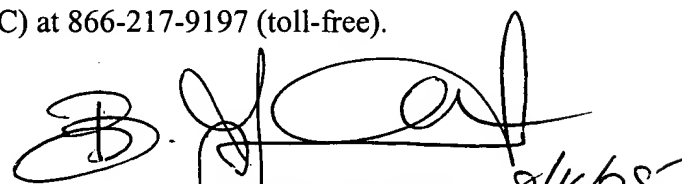
Applicant's arguments filed 6/24/05 have been fully considered but they are not persuasive. As stated above, applicant presented only one argument that the prior arts do not teaches consolidation information. The argument has readily been addressed in the rejection above.

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Examiner notes that evidently, the feature, which applicant sought to be patented, has been around since 1999 (nearly two years prior to applicant invention), and freely distributed in the form of alpha and beta software by Intel Corporation, the same assignee. Applicant is directed to correspondence between the United Patent Office and the SmartCIM, in which examiner has cited and made of record.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bunjob Jaroenchonwanit whose telephone number is (571) 272-3913. The examiner can normally be reached on 8:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
BUNJOB JAROENCHONWANIT  
PRIMARY EXAMINER 8/16/05